REMARKS

Claims 25, 27-29, 36, and 38 have been amended. Claims 26 and 37 have been cancelled. No new claims have been added. Accordingly, claims 25, 27-36, and 38-44 remain under prosecution of this application.

35 USC. §102 – Liu et al.

Claims 26 and 37 are rejected under 35 USC §102(b) as being anticipated by Liu et al. (U.S. Patent No. 5,760,682). Both claims 26 and 37 require the interaction of a vehicle brake control system. For example, in claim 26 (the substance of which has now combined with claim 25) requires that "the modifying step further includes modifying the response of a vehicle **brake** control system, by changing a **brake** control nominal value, **brake** response threshold or a control algorithm for the **brake** system...". Likewise, claim 37 (which has now been incorporated into claim 36), includes "wherein the controller is a **brake** controller which changes a **brake** nominal value, a **brake** response threshold, or a control algorithm for a vehicle **brake** system...". Liu et al. does not teach or suggest incorporating a **brake** system into a method and apparatus for controlling the driving dynamics of a vehicle. On page 2, paragraph 4 of the most recent office action, the examiner has rejected claims 26 and 37 citing that line 63 through 66, of column 1 of Liu et al. teaches "modifying the response of a vehicle brake control system, wherein a brake control nominal value, a response threshold, or a control algorithm for the brake system is changed independent on the loss of tire pressure...". The undersigned has closely reviewed this portion of Liu et al. which the examiner has relied upon and the undersigned has also reviewed the entire Liu et al. document, and nowhere does Liu et al. teach modifying a response of a vehicle brake control system. Specifically, the portion of the text that the examiner specifically cites a way to calculate an F-value from wheel speed signals which are available from an anti-lock brake system. This is in stark contrast to claims 25 and 36, which require modifying a vehicle brake control system in response to a loss of time pressure. Liu et al. is simply teaching using signals derived from an ABS system to conduct a certain analysis, it is not teaching controlling an ABS system in response to the speed signals gathered from the ABS system.

35 USC §102(b) – Yamamoto (U.S. Patent No. 5,546,308)

Claims 26 and 37 are rejected under 35 USC §102(b) as being anticipated by Yamamoto. Yamamoto fails to anticipate the claimed device for the same reason that Liu et al. fails to anticipate the claimed device. Specifically, nowhere in Yamamoto is it taught to modify the response of the vehicle brake control system in dependence on the loss of tire pressure. The entire teaching of Yamamoto is that in response to under inflated tire pressure signals, you reduce the vehicle speed by either 1) reducing the fuel delivered to the engine (column 11, lines 45 et seq.) or 2) modifying the transmission setting (column 12, lines 13 et seq.). Nowhere does Yamamoto teach modifying a vehicle brake control system in response to a reduction in vehicle tire pressure.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. (AP9610)64098-0885 from which the undersigned is authorized to draw.

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Respectfully submitted,

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